

# The Justinian

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## The Justinian

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# The Justinian

Member of American Law Student Association



VOL. XXV, NO. 3

BROOKLYN LAW SCHOOL, BROOKLYN, NEW YORK

MARCH, 1965

## Students Vie For Moot Court Honors

The Faculty Moot Court Committee, headed by Prof. Milton G. Gershenson, has announced plans for the 1965 Moot Court Program to be conducted starting in the middle of March. As in the past years, there will be two parts to the program: An Appellate Part, and a Trial Moot Court Division.

The purpose of the program, according to Prof. Gershenson, is to afford the Law School student practical experience in courtroom advocacy on the trial and appellate level, along with the necessary preparation preceding his appearance before the court. The participating students will be required to research the applicable law on the assigned problem, and to present their cause before the mock court.

The Appellate Part is designed for all students who have taken, or are now taking Constitutional Law. Those participating will be assigned an actual case that has been adjudicated in the courts. The opinion of the highest state tribunal is available in the Law School library. The questions on which certiorari has been granted have been announced. The issues will have to be carefully analyzed, and original research pursued in order for the student to be able to present a coherent and persuasive oral argument urging either affirmation or reversal of the case. It will not be necessary for those engaged in the Appellate Part to prepare any pleadings, and no knowledge of the Civil Practice Law and Rules is requisite for participation. The arguments will be presented before a two man bench of members of the Faculty and Faculty Moot Court Committee. The members of this committee are: Profs. Gershenson, Miller, Thornton, Crea, Glasser, Hoffman, Bader, Nightingale, Sklar and Hahl. Those presenting best arguments in each meet will be asked to engage in further competition with the winners of other meets. In addition to intramural aspects of the program, three finalists will be selected to represent the Law School in the National Inter-Law School Competition that is sponsored by the Young Lawyers' Committee of the Association of the Bar of the City of New York, and held in the fall of each year.

The Trial Moot Court Program is designed for the student in his last year of law study. All those who are taking or have taken the course in Evidence are eligible. The program consists of the preparation and actual trial on a Saturday in the Supreme Court Building of both civil and criminal cases before Justices of the Supreme Court of the State of New York, and juries consisting of students from nearby colleges. Student court reporters are present. The proceedings are conducted according to standard court procedures and the student lawyer receives

the same treatment from the court that an actual lawyer would. Pleadings, Bill of Particulars and Motions, as needed in a civil matter, are prepared by the students and indictments in a criminal case are drafted by the student counsel. The budding advocates also present oral argument to the court based upon their trial briefs that have been previously prepared. The volunteer witnesses, who are usually freshmen at the Law School, are examined by the participants in the same manner that actual witnesses in a court would be. Court clerks are portrayed by undergraduate students.

The Moot Court Program affords the serious student of the law a rare and challenging experience of gaining poise and experience in appearing before a court. These workshops should not be overlooked by the student, and according to Prof. Gershenson, should be considered an integral part of the Law School curriculum and experience and should be prepared with the same enthusiasm and careful attention that any course would receive.

Last year, seven civil and criminal trials were conducted.

JAMES B. ZANE

## Law Day

President Johnson has proclaimed May 1, 1965, as Law Day USA, declaring that Law Day is "an occasion for the American people to rededicate themselves to our Nation's ideals of equality and justice under law and to our responsibilities as free men."

"There is timely need for such rededication," the proclamation continued, "The Nation's efforts to advance freedom and individual opportunity, to curb lawlessness, and to achieve equal justice for all citizens are urgent concerns of every American."

The proclamation urges that on Law Day USA, each citizen commit himself to the fulfillment of his responsibilities as a citizen. "Law Day USA," said Pres. Johnson, "reminds us of the fundamental truth that our very lives, our liberty, and our rights to pursue our individual destinies are dependent upon our system of law and independent courts. Obedience to the laws which protect these rights is the heart of our system. Disrespect for law, intolerance, and public apathy concerning law enforcement are enemies of justice and freedom."

Law Day USA, was first observed nationally in 1958. In 1961, Congress adopted a joint resolution establishing the observance annually on May 1.

## DISTINGUISHED ALUMNUS

Police Commissioner Michael J. Murphy has been a career policeman for 25 years. He is the 26th Police Commissioner since consolidation of the City on January 1, 1898, and the eighth career policeman to rise from the ranks to become head of the largest police force in the United States.

Commissioner Murphy worked as an accountant for six years before entering the New York State Police Department in 1936. In 1940 he became a patrolman in the New York City Police Department, serving until 1955, when he became Executive Director of the Waterfront Commission of New York Harbor. He returned to the New York City Police Department in 1959, and was appointed Chief Inspector in 1960. Upon the resignation of Commissioner Stephen Kennedy, Mr. Murphy was appointed as his successor.

As Commissioner, Mr. Murphy has been responsible for many professional advances, including the introduction of electronic data processing in fingerprint research, and the creation and use of an Image Maker for composite pictures and the use of station-wagons as an aid in the continual battle against crime. Also under his guidance, the Police Academy has become affiliated with City College and a college program in Police Science is now in progress with over 1500 participants.

Commissioner Murphy graduated from Brooklyn Law School in 1946, *summa cum laude*. He has also earned a masters degree in Public Administration from the Baruch School of Business and Public Administration. Mr. Murphy is a member of the Bar of the State of New York, and is a graduate of the New York State Police Training School, the New York State Traffic Officers School, the Massachusetts State Police School, and the Division of Safety of the New York State Rescue School. He is a member of the Executive Board of the International Association of the Chiefs of Police, and is a member of the Uniform Crime Reporting Committee. He is also the representative of the International Federation of Senior Police Officers to the United Nations.



Commissioner Murphy

## BARSHAY TO DELIVER HOMECOMING ADDRESS

Gerard A. Gilbride, Assistant Dean of Brooklyn Law School, has announced that the sixth annual Homecoming Day will be held on April 7, 1965. It will be conducted in two parts: Commencing at 5:00 P.M. the Hon. Hyman Barshay, Justice of the Supreme Court, Kings County, will deliver a lecture, and an informal reception and cocktail hour will be held in the Faculty Lounge of the Law School. It is anticipated that Dean Prince will make some informal remarks in regard to the growth and expansion of Brooklyn Law School.

Judge Barshay graduated from Brooklyn Law School in 1922. He maintained a private practice of law until January, 1929, at which time he was appointed an Assistant District Attorney for Kings County. In 1940, Judge Barshay returned to his private practice. In 1951, he was appointed Justice of the Domestic Relations Court and from 1952-1954, served as Justice of the old Court of Special Sessions. In 1954, Judge Barshay was elected County Judge of Kings County, and with the consolidation of the court system, became a Justice of the Supreme Court of the State of New York. Through the years, Judge Barshay has become known as a learned and gifted technician in the law.



Hon. Hyman Barshay, Justice of the Supreme Court, Kings County.

The Brooklyn Law Review Alumni Association will sponsor a dinner on April 7th, 1965, 7 P.M., at the Hotel St. George, in conjunction with Homecoming.

## BLS OUT FOR BLOOD

The Bloodmobile will be at Brooklyn Law School on Wednesday, March 16, 1965, from 11:30 A.M. to 5:30 P.M. Those students who wish to donate blood should assemble in room 201 at 11:30 A.M. At this time, donor cards will be filled out and the collection of blood will start immediately. Coffee, juice, and doughnuts will be distributed to those students who donate blood.

The Blood Bank offers the students and alumni of Brooklyn Law School an opportunity to become part of a program that will guarantee them the free use of blood when necessary. Each donor will be entitled to seven pints of blood during the calendar year following a donation. A prospective donor who is rejected will be entitled to blood for a period extending to the end of the school semester. These good faith donors may become donors during the intervening period by making a donation at one of a number of accredited hospitals before the end of the school semester.

Any student who donates three pints of blood will become a lifetime member of the Brooklyn Law School blood program and will be entitled to the benefits of the program for himself and his immediate family for the duration of his life.

Any questions should be addressed to Richard Rubin c/o The Student Bar Association Office at Brooklyn Law School. This pro-

gram is sponsored by the Student Bar Association of Brooklyn Law School for the benefit of the students. Student cooperation will make the Bloodmobile visit a success and insure the continuance of this program.

## LOOKING AHEAD

On March 9, 1965, the Brooklyn Law School purchased at auction the site of the former Supreme Court House in Brooklyn. This will be the site of the proposed new law school building.

The arrangements for the purchase and construction of the new building are being handled by a special committee of the board of trustees of the Brooklyn Law School. The committee includes: Henry L. Ughetta, as chairman, Leonard P. Moore, Paul Windels, Sr., and M. C. O'Brien.

Law school officials indicated that while the present building is capable of handling the present enrollment, and that expansion plans do not call for a great increase in the number of the student body, the basic aim is a more modern and better equipped legal institution.

Tentative plans for the new structure call for it to be completely air conditioned with expanded library and moot court rooms.



# The Justinian

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Stephen Kressel

## Postulates For Power

Very often and for many reasons nations treat their aspirations as manifestly destined. Nothing could be more natural. It is the quality of single or collective minds to evaluate experience in the light of anticipated possibilities. This attitude is reduced to a simple theorem: those who shape the future, possess it. The framing of the future by planning is therefore one of the high tests of leadership. Planning at once requires firmness and flexibility, caution and courage, realism and perhaps a belief in miracles, but above all a disenchantment with power. For inevitably power gravitates into the hands of leaders, power that precludes alternatives, transforms plans into final solutions and by some alchemy pervades all and resolves all into the hierarchy of its logic.

Men's lives were not always so ruled by plans. There was a time of greater faith in ourselves. We accepted the world, we savoured it, we were less ready to direct and dissect. In the old days, men lived by the side of the road—not on it. The commonplace things, the strength in one's arms, the satisfaction of a job well done, these were so common they were nothing, and yet, they were everything. Oh, there was also the call of the future but it was a cry less compelling. Foundations were laid by fathers but the raising of beams was left to the children's whims. Nations dreamed and slaughtered men for their dreams. But no one ever thought of remaking the black, as the fields were with butchery and stinking charnel houses from the carnage.

Nations today have committed themselves to the future but there are no easy cures, for strategies seldom eliminate problems. We must be wary of those plans which require slavish adherence. They subvert conception to execution. The danger in such plans is that they are absolute in design and only necessitate performance. Inevitably time breeds problems that are unanticipated and require different emphasis. Of course, the needs of the moment cannot be met by these iron-bound plans.

The most ill-considered plans are those which depend upon the subordination of individual activity to the greater functions of the state.

Because societies must either progress or wither, those ideologies (plans) which are postulated on the basis of controlled human behavior are doomed to failure. All encompassing commitments howsoever majestic they are in thought and act, impoverish a society even as they stifle opposition. For the dynamism of human progress is dissatisfaction and reaction.

The measure of a living thing is its capacity to respond to stimuli. Some creatures cannot profit by experience. They react unchangingly in the same manner and to the same degree. We are more flexible; this is our problem. But to what extent may we manipulate experience? Whose experience may we manipulate? What, if anything, do we owe to others? What do we owe to time, to the future, to our dreams by the side of the road—and on it? What do we owe to ourselves?

### THE PLACEMENT OFFICE...

has been very much handicapped by students and alumni who take positions listed, and fail to advise the Office that they have done so. This is unfair to fellow students and alumni and to the school. The Office has discontinued the posting of positions. Students and alumni who wish employment should leave name, etc., at Main Desk, Third Floor.

## Appointed

Howard Koff, a third year day student, has been selected by the United States Attorney General for appointment to the Department of Justice as an Honor Law Graduate. The appointment is to the Tax Division in Washington, D.C.

Mr. Koff, a graduate of New York University School of Commerce, Accounts and Finance was the Editor-in-Chief of the December, 1964 issue of the Brooklyn Law Review. During the past summer, Mr. Koff worked for the United States Attorney's Office for the Southern District of New York.

## A Tribute

Felix Frankfurter, retired Associate Justice of the Supreme Court died on February 22, 1965. To this man who has, as teacher, scholar, jurist and humanitarian, so profoundly contributed to American life, we pay tribute.

He was born in 1882 in Vienna, Austria, the son of a rabbi. At the age of 12, he and his family immigrated to the United States. They settled in one of New York City's German-speaking communities where he attended grammar school. In his *Reminiscences*, Justice Frankfurter recalls that he had not heard a word of English spoken until 1894, the year of his arrival in this country, and that he owed a great deal to his Irish public school teacher who insisted that his classmates address him only in English.

Mr. Justice Frankfurter continued his education in the New York City public schools, worked his way through City College and then Harvard Law School where he was elected to the *Harvard Law Review* after achieving an almost unparalleled scholastic record.

After graduation from Harvard, Justice Frankfurter served as an Assistant United States Attorney, as an investigator for President Roosevelt and as a law professor at Harvard Law School until his appointment to the Supreme Court in 1939. At the time of his appointment to the Supreme Court, Mr. Justice Frankfurter enjoyed the reputation of being an ardent liberal. His sharp criticism of the Sacco-Vanzetti case and his close ties with President Roosevelt and the *New Deal* led many to believe that Justice Frankfurter would use the forum of the Supreme Court as an instrument to further the liberal causes which he had so devoutly championed prior to his appointment. But, it soon became apparent to his early admirers that Justice Frankfurter was not to follow such a limited course.

During the 23 years in which he served as an Associate Justice, his reputation for being a liberal changed to such an extent that he is deemed by many to have been the voice of conservatism on a court dominated by liberal elements. But, for a man of such scholarly dimension and historic perception these classifications seem but to cloud what otherwise would be a better understanding of the significance of Justice Frankfurter's commentary on the American Scene. For Justice Frankfurter, perhaps more than any Justice before him, was deeply affected by history, and the Anglo-American experience as reflected in the writings of the Founding Fathers.

His experience in Austria as a young boy, where religious prejudice and governmental control of education were the norm, profoundly affected his philosophy. These early incidents supply the key to the position taken by him in support of the preservation of the division of church and state. In his concurring opinion in *McCullum v. Board of Education* (1948), Mr. Justice Frankfurter said:

"... Separation means separation... Jefferson's metaphor in describing the relation between Church and State speaks of a 'wall of separation', not of a fine line easily overstepped..."

As a Justice, Mr. Frankfurter became a strong advocate of the doctrine of judicial self-restraint. To him the doctrines of separation of powers and checks and balances were not mere rhetorical phrases. To Justice Frankfurter, these words were meaningful concepts of the experiences of the Founding Fathers, who well understood the maxim, "Power corrupts..."

In *Sawyer v. Youngstown Sheet and Tube Company* (1952), Justice Frankfurter said:

"... The Founders of this Nation... acted on the conviction that the experience of man sheds a good deal of light on his nature. It sheds a good deal of light not merely on the need for effective power... but also on the need for limitations on the power of the governors over the governed..."

Justice Frankfurter believed strongly in the capabilities of man; he believed in the great experiment called American Democracy which he described as perhaps the "most difficult of man's social arrangements..."

Words of gratitude seem inadequate. To those who knew him remains the fond memory. To those who knew of him and whose lives were influenced by him remains the indebtedness.

B.S.G.

## LEGAL AID

The Legislature in enacting the recent Family Court Act has attempted, in part, to create a forum to dispense some measure of justice to children, an overwhelming majority of whom have so "finely perceived, and so finely felt" the injustice of the broken home, the missing or indifferent parent, the evil slum existence and who have in turn vented their frustration either on society in general or their parents and family in particular.

Juvenile delinquency and petitions by parents or others (specified in the statute) that the conduct of the child has been of such a nature as to place him beyond the control and supervision of his parents are the usual cases heard by the children's part of the Family Court. The Act provides for a system of law guardians (lawyers) to represent those accused of juvenile delinquency, who desire legal assistance but cannot afford their own counsel, and to represent those brought in on a "supervision" petition regardless of parental income or wishes.

The Legal Aid Society has been assigned the task of providing the assistance mandated by the statute. Brooklyn Law School, by arrangement with the Society, supplies student volunteers to assist in performing that function. The students' main duty is to interview both the parents and children and then to brief the overburdened law guardian prior to the trial.

It is while performing this duty that one sees the most depressing view of a way of life which is unfortunately led by so many in our City today. It is the life of the slum, of drug addiction, of alcoholism and deprivation in which children are caught up as the unfortunate victims and for whom the Court can rarely provide a truly adequate redress.

Perhaps one of the many cases that this writer encountered will be illustrative. The mother brought a petition claiming that the child was in need of supervision. She claimed her child was truant from school, that he beat his brothers and sisters and that he would not listen to her. When this writer spoke to her and informed her that we represented her son, she declared that he did not need any lawyers and that she wanted him out of the house.

As it turned out the charges were either adequately explained or proved false and the reason the mother (who was never married) tried to get rid of him was due to the fact that he interfered with "men friends" she brought up to the apartment. The boy was cleared of the charge and sent back home—a home in which he was not wanted.

While the provisions of the Act which provide such careful safeguards for the protection of the legal rights of children are to be lauded and are indeed necessary, the justice that they receive is often too little and too late to really make any difference. For what these children have been deprived of cannot be restored by the courts of law.

—Edward R. Korman



# Trial By Newspaper

by JACK WEINBERG

Does this country's custom of unbridled liberty for the news media in reporting pending criminal cases permit any person charged with a crime to receive a fair trial? This question has been frequently raised by those most concerned with justice in the United States.

There have been a number of recent instances in New York City and elsewhere where damaging facts were prominently portrayed on television with the effect of creating a climate of guilt surrounding the accused. These instances are: (1) direct interviews of defendants, not represented by counsel, concerning the crime; (2) description by police officials of the details of crimes based on interviews with defendants; (3) disclosure of prejudicial information concerning the prior criminal record of suspects.

Many of the above incidents are similarly found in newspaper accounts of crimes. However, a few seconds of film, showing the face of an accused as he is being interrogated leaves an imprint on the mind that can be recalled many months later, while stories printed in cold type have a tendency to fade away more quickly.

The trial of a case is largely a psychological process having as its objective the persuasion of the jury that a certain fact or set of facts does or does not exist. But, with coverage by the news media in advance of the trial, it becomes difficult to find a jury which is not prejudiced.

The problem of a fair "due process" trial has been compounded by the First Amendment to the United States Constitution, which protects freedom of speech and press against invasion by the Federal Government, and by the Fourteenth Amendment, which, by incorporation, extends similar protection to free speech and press against state invasion.

American courts have tried to solve the problem by means of the "criminal contempt" doctrine. However, judges have not always been sustained in applying this doctrine. The United States Supreme Court has ruled that one can not constitutionally be held in contempt of court unless the utterances create a "clear and present danger" that they will influence the determination of the case.

The Appellate Division of the First Department, for example, in trying to cope with the problem of insuring a fair trial in the face of unrestricted television interviews, adopted last year a new Rule I which expressly prohibits the taking of photographs or broadcasting court proceedings anywhere in the First Department, unless permission is first obtained.

Soon thereafter, the Appellate Division struck another blow for the rights of the accused in the case of two teen-age defendants charged with first degree murder. The court directed that the venue of their trial should be moved, because the pre-trial telecasting of an interview with defendants had effectively denied them a fair trial in New York County.

Changing the venue of a trial is a very inadequate weapon for dealing with this problem, although it is all that the law now provides. In one case, the Supreme Court of the United States reversed a conviction of first degree murder, on the ground that the defendant had been denied a fair trial because he had been interviewed by the local sheriff on television following his arrest, and the filmed interview was subsequently broadcast on three separate occasions. The Court held that it was error not to have granted a motion for change of venue.

The lower courts, following the lead of the Supreme Court, are bearing down on trial by news media. Last summer, a federal district judge in Ohio sustained a writ of habeas corpus releasing Dr. Samuel Sheppard, after ten years imprisonment, for the murder of his wife; one of the grounds for release was that newspaper and broadcast intimation of his guilt before trial had fatally jeopardized his case.

Frequently, there is no existing control over the subject matter included in news broadcasts. Not only does the Federal Communications Commission lack regulations controlling abuses preventing a fair trial, but the Communications Act of 1934 expressly prohibits the Commission from exercising the power of censorship over broadcast material. Additionally, the competitive instinct of reporters, who are trying to obtain the best possible story, virtually eliminates the possibility of voluntary restraint. True, that recently the American Newspaper Publishers Association decided to make an extensive study of the relationship between a free press and fair trials; however, this study seems to show little promise because at the outset, Gene Robb, the president of the Association announced that, "The public interest is paramount in any consideration of these two constitutional guarantees — a free press under the First Amendment and a fair trial under the Sixth Amendment," which is another way of saying that we must keep selling newspapers and that reporting crime is the best sales agent.

An entirely new point of attack is required which would be directed primarily at the conduct of law enforcement and police officials who control the flow of information to the news media and who have the preliminary obligation to insure fairness in the administration of justice. These officials are more clearly within the disciplinary jurisdiction of the court than are members of the news media. More state courts should follow the lead of the New Jersey Supreme Court, which, on November 16, 1964, rendered a decision that forbids comment on pending criminal cases by prosecutors, police and defense attorneys and in particular statements concerning "alleged confessions" and references to a defendant's police record. The court said that it would enforce the ban on prosecutors and defense counsel through its disciplinary powers under the canons of professional ethics.

The news media also must recognize its responsibilities and consider effective measures to prevent the abuses of fair trials instead of avoiding its obligations by shielding itself behind First Amendment freedoms.

# EVOLUTION OF THE GRAND JURY

With the recent suggestions to the effect that the civil trial jury be abolished or its use greatly curtailed, we might consider the entirely different function of the grand jury in criminal matters.

The grand jury is an investigatory body sworn by a criminal court to inquire into crimes committed within its jurisdiction. Grand juries may have been used prior to 1166, but in that year King Henry II of England issued the Assize of Clarendon which specifically provided for a body of men to state the names of any persons in their locality who were suspected of murder, robbery or theft, and thus made the jury of accusation a regular and definite institution. Some ten years later, the Assize of Northampton expanded its jurisdiction by adding arson and forgery to the crimes it was to investigate.

At common law the grand jury consisted of not less than twelve nor more than twenty-three men who were summoned by the sheriff. Their duty was to determine if there was sufficient evidence against the accused to warrant a trial before a petit jury. If they were satisfied that a trial ought to be held, they found a bill of indictment (an accusation, in writing, charging a person with a crime).

In this country the grand jury was quickly instituted because of the belief that the requirement of indictment by a grand jury was a guarantee against oppressive prosecutions. Informations *ex officio* by the Attorney General of England were the basis of the political prosecutions which occurred in the seventeenth and eighteenth centuries. Protection against that possibility was provided for in the Fifth Amendment to the Constitution of the United States whereby "no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury..."

In New York State the grand jury is provided for in the Code of Criminal Procedure. It consists of not less than 16 nor more than 23 persons who are to be chosen

from those who are qualified to serve as trial jurors and who are of "approved integrity, fair character, sound judgment and well informed." The grand jury is usually made up of 23 persons whose names are drawn from a list of volunteers. They are less representative of all the elements in the locality than are petit juries. They are paid a small fee for their service but must be able to serve for at least a month and sometimes longer. Thus, there are many retired people on the list as well as businessmen, professionals, executives and a small proportion of housewives. The volunteers are usually accepted only if they have had trial jury experience and after their applications have been screened by the Presiding Justice of the Appellate Division.

After the grand jury is impaneled and sworn, it works, to a great degree, independently of the court. A regular grand jury must investigate all felonies within its jurisdiction. Special grand juries investigate particular matters. Recently there have been grand juries investigating alleged corruption in the police department, alleged corruption in the State Liquor Authority and the letting of public contracts.

The testimony before the grand jury and the discussions and votes of its members are secret. It is a misdemeanor for a juror to divulge what took place in the jury room, but witnesses may divulge what they said. The jury hears only legal evidence against the accused (they do not have to hear evidence on behalf of the accused); and when the evidence is such as would warrant conviction, if not explained or contradicted, they are to return an indictment on concurrence of at least 12 grand jurors. After the indictment of the grand jury is presented to the court which impaneled the jury, the accused is brought in, arraigned, and then brought to trial.

To a great extent, the grand jury continues to fulfill its historic role in preventing public prosecution from becoming individual persecution.

— N. Munson

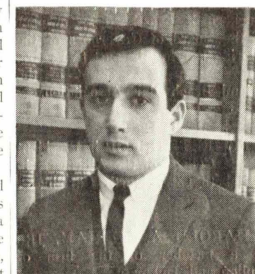
# STUDENT PROFILE

by NEIL GOLDSTEIN

Bernard J. Fried, 24, is a model of what a law student should be. Among his accomplishments, evidencing his success as a student of the law, are an outstanding academic standing, the position of Editor-in-chief of the Law Review, and the admiration and respect of his classmates and colleagues.

Mr. Fried, who received a B.S. degree in Ceramic Engineering at Alfred University, first became interested in the study of law in his last year at college. He attributes his decision to his roommates, who were humanities majors, and to his interest in philosophy. The study of law seemed a way to merge the logic of science with the needs of man.

Among Mr. Fried's other interests are hot-rodging, off-Broadway theatre, attending lectures, walking around New York City in a Thoreau-like manner and, most important of all, his wife Janice. Mr. Fried is also an accomplished chef.



Since attending Brooklyn Law School, Mr. Fried has worked in the Special Prosecutions Unit of the Criminal Division of the Department of Justice in the U.S. Attorney's Office in the Southern District of New York. In this position, he had the opportunity of meeting outstanding students from other law schools. He found that our students are as well prepared as those of the other law schools and that the basic curriculum is as broad.

As Editor-in-chief of Law Review, Mr. Fried has attempted to bring about a closer relationship between the faculty and the staff. He has also tried to make the members and prospective members of Law Review aware that, "with the honor of membership there is the concomitant of diligent, hard work." In this he appears to be as successful as he has been in his other endeavors.

# LAW REVIEW STAFF

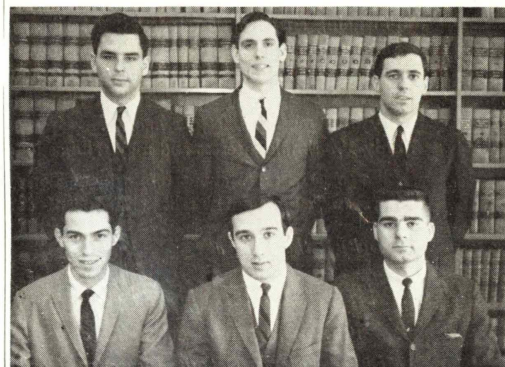
Robert D. Bush, Associate Editor, is currently preparing a study for the New York State Legislature which concerns the sequestration statutes of the Domestic Relations Law. Mr. Bush intends to practice commercial law upon his admission to the New York State Bar.

Gerald S. Kirschbaum, Decisions Editor, graduated from Hofstra College in 1962. He has assisted as a Legal Aid volunteer in the Family Court. During the past summer he was employed by the United States Attorney's Office, Eastern District. Mr. Kirschbaum will be married on April 10, 1965.

Edward R. Korman, Decisions Editor, received his B.A. degree from Brooklyn College in 1963. He is doing volunteer work for the Family Court division of the Legal Aid Society.

Seth Natter, Book Review Editor, received a Bachelor of Mechanical Engineering degree from Rensselaer Polytechnic Institute in June 1963.

Robert Pitter, Notes Editor, is a graduate of City College of New York. He is a Volunteer Aid for the Legal Aid Society's Family Court division.



Top Row (left to right): Edward R. Korman, Robert D. Bush, Robert Pitter. Bottom Row (left to right): Gerald S. Kirschbaum, Bernard J. Fried, Seth Natter.



# ALUMNI IN CURRENT NEWS

## AWARD

Lawrence Katz was the representative of Brooklyn Law School to receive the Better Brooklyn Committee award for Academic Achievement for 1964. The award was conferred by Supreme Court Justice John E. Cone and Hon. Edward D. Re, Chairman of the U.S. Foreign Claims Settlement Commission, at a dinner held at the St. George Hotel.

1914

HENRY GILLIGAN was elected President of the Metropolitan Association of Real Estate Boards. He is also President of the Brooklyn Real Estate Board.

1929

HARRY ZUKERNICK has received the First Annual Award of Merit of the Miami Beach Bar Association for "distinguished service to the legal profession." Mr. Zuckernick has been a member of the Board of Governors of the Florida Bar for the past five years, and is a past President of the Miami Beach Bar Association.

1938

ROBERT HISLOP is President of the College of the Albemarle in Elizabeth City, North Carolina.

1948

HAROLD A. MERIAM, JR., is a member of the firm of Cullen and Dykman.

1953

JOSEPH L. COHEN has been appointed as assistant counsel to State Controller Arthur Levitt. Mr. Cohen was assistant counsel for the State Employees' Retirement System.

Mr. Cohen attended New York University and has been a practicing lawyer since 1954. He is First Vice President of the Albany Chapter for the National Association for the Advancement of Colored People.

1956

ALLAN ALTMAN is a member of the firm of Henry F. Dressel.

1962

MELVIN GUTTERMAN has received a Ford Foundation grant—Police Legal Advisor Program—to Northwestern University School of Law.

BERNARD DWORKIN is associated with the firm of Dougherty, Ryan, Mahoney and Pelligrino.

EDWARD T. BRAVERMAN is now associated with Noel L. Selig, LL.B., 1963 in the general practice of law.

1964

HARRIET L. GUBER, is an attorney with the Federal Trade Commission in New York.

## U. C. C.

As a public service to the alumni of Brooklyn Law School, a tuition-free series of lectures on the Uniform Commercial Code is in progress. The purpose of the series is to discuss the changes that the U.C.C. has wrought in the fields of contracts, negotiable instruments, sales, secured transactions and securities. The lectures, which began on February 10, 1965 and will continue on each subsequent Wednesday evening for a total of nine weeks, are being given by Asst. Dean Gilbride and Professors Crea, Hoffman, Klein and Meehan.

The response by the alumni to the series has been enthusiastic. 400 to 500 alumni have taken part in the program. The lectures are held in the auditorium.

Last year, also as a service to the alumni, the school gave a course of lectures on the Civil Practice Law and Rules which was conducted by Professor Thornton.

Mr. Abraham M. Lindenbaum, LL.B., 1930, active in real estate law practice, represented Brooklyn Law School in the purchase of the proposed site for the new Brooklyn Law School building.

## Necrology

Theodore Cooper, LL.B., 1937, had, since his admission to the New York State Bar, been in the private practice of the law. In 1963 he became associated with the firm of Emile Z. Berman and A. Harold Frost, specializing in litigation matters. He was a member of the Metropolitan Trial Lawyers Association.

Arthur S. Gales, 1927.

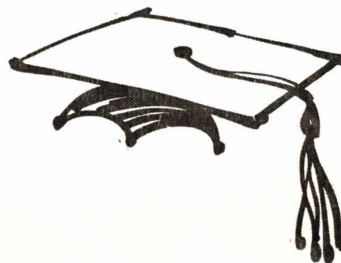
Louis J. Gribetz, LL.B., 1917, was a delegate to the first World Jewish Congress in 1936 at Geneva. He was also a founder and treasurer for many years of the Brooklyn Jewish Community Council. He served on the governing board of the Brooklyn Jewish Center and the editorial board of the Brooklyn Jewish Center Review. Mr. Gribetz was the author of *The Case for the Jews* and co-author with Joseph Kaye of *Jimmie Walker: The Story of a Personality*.

Bernard Tompkins, LL.B., 1926 served a brief but energetic three years in the State Senate. During that time he proposed and was made chairman of a joint legislative committee to investigate abuses into fundraising for allegedly "charitable purposes." This led to laws which now require public accounting of all funds raised. Mr. Tompkins had been an assistant United States Attorney in the criminal division. He was an aide to former Gov. Thomas E. Dewey when he was a special prosecutor. He had also been a special assistant attorney general.

Joseph Wahrhaftig, LL.B., 1936.

Frank G. Sterritte, LL.B., 1941, LL.M., 1943 was an expert in the area of international insurance law. He was vice-president and general counsel of C. V. Starr & Co., Inc. Mr. Sterritte had been associated with the Central Hanover Bank and Trust Company and later with the New York law firms of Nichols & Bedford and Murphy & Fiencke. He was an instructor at the Insurance Society of New York and a guest lecturer at St. John's University. He was a director of the Brooklyn Law School Alumni Association.

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